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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 KIMBERLY ZEPEDA, an Individual;

Case No.: 2:21-cv-00522-APG-BNW

11 Plaintiff,

12 vs.
AMENDED STIPULATED DISCOVERY
PLAN AND SCHEDULING ORDER

13 VDARA CONDO HOTEL, LLC, a Delaware
14 Domestic Limited-Liability Company
d/b/a VDARA; and DOES 1-25 inclusive;
and ROE CORPORATIONS 1-25 inclusive;

15 Defendants.
SUBMITTED IN COMPLIANCE WITH LR 26-
1(b))

16
AMENDED STIPULATED DISCOVERY PLAN

17 Plaintiff KIMBERLY ZEPEDA and Defendant VDARA CONDO HOTEL, LLC., by and through
18 their respective attorneys of record, hereby submit this Stipulated Discovery Plan and
19 Scheduling Order:

20 **1. Fed. R. Civ. P. 26(a) Initial Disclosures:**

21 Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Court 26-1(d), on May
22 4, 2021, counsel for Plaintiff, Kyle R. Tatum, Esq. and counsel for Defendant, Jason Sifers, Esq.,
23 conducted a meeting to discuss the relevant issues for discovery, possible early resolution of the
24 matter, and other pertinent issues. Pursuant to these discussions, the parties agree that they will
25 exchange initial disclosures on or before **Tuesday, May 18, 2021**.

1 **2. Discovery Cut-Off Date:**

2 The parties request a discovery period of 180 days from March 10, 2021, the date the
3 Defendant responded to the Complaint. Accordingly, all discovery must be completed no later
4 than **Tuesday, October 12, 2021.**

5 **3. Amending the Pleadings and Adding Parties:**

6 The date for filing motion to amend the pleadings or add parties shall not be later than
7 ninety (90) days prior to the discovery cut-off date and, therefore, not later than **Wednesday,**
8 **July 14, 2021.**

9 **4. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):**

10 In accordance with Rule 26(a)(2), initial disclosures identifying experts shall be made
11 sixty (60) days prior to the discovery cut-off date, and therefore, not later than **Friday, August**
12 **13, 2021**, and disclosures identifying rebuttal experts shall be made thirty (30) days after the
13 initial disclosure of experts and, therefore, not later than **Monday, September 13, 2021**
14 [Deadline falls on Sunday and is therefore moved to Monday].

15 **5. Dispositive Motions:**

16 The parties shall file dispositive motions not more than thirty (30) days after the
17 discovery cut-off date and, therefore, not later than **Thursday, November 11, 2021.**

18 **6. Pretrial Order:**

19 If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint
20 Pretrial Order shall be filed not more than thirty (30) days after the date set for filing dispositive
21 motions and, therefore, not later than **Monday, December 13, 2021.**

22 **7. Fed. R. Civ. P. 26(a)(3) Disclosures:**

23 If no dispositive motions are filed, and unless otherwise ordered by this Court, the parties
24 shall file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the

1 Pretrial Order pursuant to LR 26-1(b)(6) in the Joint Pretrial Order, not more than thirty (30)
2 days after the date set for filing dispositive motions, and, therefore, not later than **Monday,**
3 **December 13, 2021.**

4 **8. Alternative Dispute Resolution:**

5 The parties certify they have met and conferred about the possibility of using alternative
6 dispute-resolution processes including mediation, arbitration, and early neutral evaluation.

7 **9. Alternative Forms of Case Disposition:**

8 The parties certify they have considered consent to trial by a magistrate judge under 28
9 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-
10 01).

11 **10. Electronic Evidence:**

12 The parties certify they have discussed whether they intend to present evidence in
13 electronic format to jurors for the purposes of jury deliberations. Discussions between the
14 parties will be ongoing as the trial date approaches and they stipulate that they intend to present
15 any electronic evidence in a format compatible with the court's electronic jury evidence display
16 system.

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1 **11. Extensions or Modifications of the Discovery Plan and Scheduling Order:**

2 In accordance with Local Rule 26-3, a stipulation or motion for modification or extension
3 of this discovery plan and scheduling order must be made no later than twenty-one (21) days
4 before the expiration of the subject deadline.

6 Dated this 20th day of May, 2021

7 Respectfully submitted,

9 /s/ Kyle R. Tatum, Esq.
10 PATRICK W. KANG, ESQ.
11 KYLE R. TATUM, ESQ.
12 TIFFANY S. YANG, ESQ.
13 KANG & ASSOCIATES, PLLC
14 *Attorneys for Plaintiff*
15 KIMBERLY ZEPEDA

Dated this 20th day of May, 2021

Respectfully submitted,

9 /s/Jason Sifers, Esq.
10 JASON SIFERS, ESQ.
11 MGM RESORTS INTERNATIONAL
12 *Attorneys for Defendant*
13 *VDARA CONDO HOTEL, LLC*

14 **ORDER**

15 IT IS ORDERED that the parties' amended stipulated DPSO (ECF No. 23) is
16 GRANTED. IT IS FURTHER ORDERED that ECF No. 21 is DENIED as moot.

17 **IT IS SO ORDERED**

18 **DATED:** 11:51 am, May 21, 2021

19 

20 **BRENDA WEKSLER**
21 **UNITED STATES MAGISTRATE JUDGE**